

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION**

**PABLO SANCHEZ, GUADALUPE  
SANCHEZ, HERMELINDA  
SALDANA, RICHARD SALDANA**  
*Plaintiffs,*

V.

**HORNBECK OFFSHORE  
SERVICES, LLC, and ADRIAN  
BRUCE ADELS,**  
*Defendants.*

**CIVIL ACTION NO. \_\_\_\_\_**  
**JURY DEMAND**

**DEFENDANT HORNBECK OFFSHORE SERVICES, LLC'S NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF SAID COURT:

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendant HORNBECK OFFSHORE SERVICES, LLC (hereinafter “Defendant” or “Hornbeck”) files this Notice of Removal from the state court action pending against them - Cause No. CV30146, *Pablo Sanchez, Guadalupe Sanchez, Hermelinda Saldana, Richard Saldana vs. Hornbeck Offshore Services, LLC and Adrian Bruce Adels*; In the 253rd Judicial District Court of Chambers County, Texas - to the United States District Court for the Southern District of Texas, Galveston Division, on the basis of diversity of citizenship, and respectfully shows:

1. This is a civil action. Plaintiffs' Original Petition was filed in state court on or about May 11, 2016, under Cause No. CV30146, *Pablo Sanchez, Guadalupe Sanchez, Hermelinda Saldana, Richard Saldana vs. Hornbeck Offshore Services, LLC and Adrian Bruce Adels*; In the 253rd Judicial District Court of Chambers County, Texas ("state court action"). Plaintiffs served Hornbeck with Plaintiffs' Original Petition on or about June 3, 2016. Hornbeck filed its answer on

or about June 24, 2016. *See* Exhibit “A” attached hereto. The state court action against Defendant is based on Defendant’s alleged negligence.

2. According to Plaintiffs’ Original Petition, attached hereto as Exhibit “B”, Plaintiffs, Pablo Sanchez, Guadalupe Sanchez, Hermelinda Saldana, and Richard Saldana, are residents of the State of Texas. Therefore, according to Plaintiffs’ pleadings, Plaintiffs are citizens of Texas. Upon information and belief, Defendant Hornbeck is a limited liability company formed pursuant to the laws of the State of Delaware and which maintains its principal place of business in the State of Louisiana. Therefore, Defendant is a citizen of both Delaware and Louisiana. It is Defendant’s understanding and, according to Plaintiffs’ allegations, Defendant Adrian Bruce Adels is a citizen of the State of Louisiana.

3. Complete diversity therefore exists among Defendants.

4. Defendant Hornbeck (although improperly named herein) has been served with Citation and a copy of Plaintiffs’ Original Petition as of the filing of this removal. Defendant Adels has not been served with Citation and Petition at this time. Counsel for Plaintiffs is OPPOSED to this removal.

5. The amount in controversy at the time of removal exceeds \$75,000, exclusive of interest and costs. When a plaintiff’s pleadings do not allege a specific amount of damages, the removing party must only prove by a preponderance of the evidence that the amount in controversy exceeds \$75,000. *See DeAguiar v. Boeing Co.*, 11 F.3d 55, 58 (5th Cir. 1993). This burden may be satisfied by the removing defendant showing it is facially apparent the plaintiff’s claims exceed the jurisdictional amount or by setting forth facts and disputes supporting a finding that the jurisdictional amount is satisfied. *Allen v. R&H Oil & Gas Co.*, 63 F.3d 1326, 1335 (5th Cir. 1995).

6. It is facially apparent that Plaintiff's claims exceed \$75,000. In Plaintiffs' Original Petition, Plaintiffs allege that the acts of Defendants caused Plaintiffs damages "between \$200,000.00 but not exceeding \$1,000,000.00." See Exhibit "B" Plaintiffs pray for actual damages (including past medical expenses, future medical expenses, loss of past and future earning capacity), property damages, mental anguish, pain and suffering, disfigurement, and physical impairment, and costs of court. *See* Exhibit "B." Based on the allegations and alleged damages in Plaintiffs' Original Petition, the amount in controversy plainly exceeds \$75,000, exclusive of interest and costs.

7. Defendant Hornbeck therefore respectfully removes this case to federal court pursuant to the Court's diversity jurisdiction under 28 U.S.C. §1332. The Court has subject matter jurisdiction based on complete diversity of citizenship and because the amount in controversy plainly exceeds \$75,000, exclusive of interest and costs.

8. A copy of the state court's docket sheet and copies of all pleadings filed in the state court action prior to this Notice of Removal are indexed and attached hereto as Exhibit C.

9. Defendant, Hornbeck Offshore Services, LLC, therefore respectfully prays that the above-entitled action be removed from the 253rd Judicial District Court of Chambers County, Texas, to the United States District Court for the Southern District of Texas, Galveston Division, for trial and determination.

Respectfully submitted,

THOMPSON, COE, COUSINS & IRONS, L.L.P.

By: /s/ Brandon E. Berg  
Brandon E. Berg  
State Bar No. 24045486  
Arfeo V. Yllana  
State Bar No. 24060867

One Riverway, Suite 1400  
Houston, TX 77056  
Telephone: (713) 403-8284  
Telecopy: (713) 403-8299  
[bberg@thompsoncoe.com](mailto:bberg@thompsoncoe.com)  
[ayllana@thompsoncoe.com](mailto:ayllana@thompsoncoe.com)

**ATTORNEYS FOR HORNBECK  
OFFSHORE SERVICES, LLC**

**CERTIFICATE OF SERVICE**

I certify that on the 29<sup>th</sup> day of June, 2016, a true and correct copy of the foregoing instrument has been forwarded to all opposing counsel of record via the Federal Rules of Civil Procedure.

Cristobal M. Galindo  
Matthew C. Moore  
4151 Southwest Freeway, Suite 602  
Houston, Texas 77027  
*Attorneys for Plaintiffs*

/s/ Brandon E. Berg  
Brandon E. Berg